

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, JULY 30, 2002  
AT 9:00 A.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

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**CHRONOLOGY OF THE MEETING:**

The meeting was called to order by Deputy Mayor Stevens at 10:02 a.m. Deputy Mayor Stevens recessed the meeting at 10:33 a.m. to convene the Housing Authority. Deputy Mayor Stevens reconvened the regular meeting at 10:38 a.m. with Mayor Murphy not present. The meeting was recessed by Deputy Mayor Stevens at 12:00 p.m. to reconvene at 6:00 p.m. at the Don Powell Theatre on the San Diego State University campus.

**ATTENDANCE DURING THE MEETING:**

- (M) Mayor Murphy-not present
- (1) Council Member Peters-present
- (2) Council Member Wear-present
- (3) Council Member Atkins-present
- (4) Council Member Stevens-present
- (5) Council Member Maienschein-present
- (6) Council Member Frye-present
- (7) Council Member Madaffer-present
- (8) Council Member Inzunza-present

Clerk-Fishkin (ek/pr)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Fishkin called the roll:

- (M) Mayor Murphy-not present
- (1) Council Member Peters-present
- (2) Council Member Wear-present
- (3) Council Member Atkins-present
- (4) Council Member Stevens-present
- (5) Council Member Maienschein-present
- (6) Council Member Frye-present
- (7) Council Member Madaffer-present
- (8) Council Member Inzunza-present

**NON-AGENDA COMMENT:**

**PUBLIC COMMENT-1:      REFERRED TO THE CITY MANAGER**

Maria Salvestrini commented regarding the development surrounding her family-owned business, Crosby Square Coin Laundry.

FILE LOCATION:                      AGENDA

COUNCIL ACTION:                      (Tape location: A016-063.)

**PUBLIC COMMENT-2:**

Don Stillwell commented on the words “one nation under God” in the Pledge of Allegiance, and the coal-mining tragedy in Pennsylvania.

FILE LOCATION:                      AGENDA

COUNCIL ACTION:                      (Tape location: A064-092.)

**PUBLIC COMMENT-3:**

Andy Stiles commented on the 10:00 p.m. gate closure requirement at parks near his residence at Crown Point.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A093-133.)

PUBLIC COMMENT-4:

Al Strohlein commented on alcohol licenses in Pacific Beach.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A134-173.)

PUBLIC COMMENT-5:

Nick Moffit commented on contracts that engineers have with the City and the work these engineers do. Mr. Moffit also commented on the Suggestion Awards given out by the City Council.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A174-216.)

PUBLIC COMMENT-6: **REFERRED TO THE CITY MANAGER**

Lori Saldana commented regarding sewage discharge into the sea by the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A217-264.)

**PUBLIC COMMENT-7:**

St. Clair Adams commented on sidewalk paving in Hillcrest.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A265-276.)

**PUBLIC COMMENT-8:**

Beverly Walker commented on buildings, building inspections, and Building Code compliance.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A277-300.)

**COUNCIL COMMENT:**

**COUNCIL COMMENT-1:**

Council Member Wear commented on the gate-closure requirements at parks and beaches and the effect it has had on criminal activity. Council Member Wear also commented on street-resurfacing in Hillcrest.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A301-324.)

**COUNCIL COMMENT-2:**

Council Member Atkins stated that Council Member Inzunza turned 33 years old recently on his past birthday. She also commented on the Gay Pride Parade last weekend.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A325-351.)

**COUNCIL COMMENT-3:**

Council Member Peters commented on the opening of the Literacy Center on Friday the 26<sup>th</sup> of July and how this will benefit the skills of students in their reading ability. Council Member Peters pointed out that the goal is to make sure students can read during the summertime. He also said that he enjoyed reading Seven Silly Eaters to the children. On July 27<sup>th</sup>, the park was opened for frisbee-throwing.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A352-384.)

**COUNCIL COMMENT-4:**

Council Member Madaffer wished to acknowledge two Boy Scouts in the audience, Darren York and Alex Akashian, from Troop 950 in San Carlos. Mr. Madaffer pointed out that their attendance today was in order for them to attain the Citizenship in the Community merit badge.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A385-400.)

**CITY ATTORNEY COMMENT:**

None.

**CITY MANAGER COMMENT:**

None.

ITEM-119: Declaring a Continued Local Health Emergency Due to the Spread of the Hepatitis C Virus and the Human Immunodeficiency Virus (HIV).

**TODAY'S ACTION IS:**

Adopt the following resolution:

(R-2003-129)                      ADOPTED AS RESOLUTION R-296891

Declaring a Continued Local Health Emergency due to the spread of the Hepatitis C Virus and the Human Immunodeficiency Virus (HIV) for the purpose of implementing a one-year clean needle and syringe exchange program.

**CITY MANAGER'S SUPPORTING INFORMATION:**

California Health and Safety Code section 11364.7 (effective January 1, 2000) acknowledges the public health threat posed by the sharing of needles and syringes by injection drug users. The Code requires a local jurisdiction to declare a local emergency due to the existence of a critical local public health crisis in order to establish a clean needle and syringe exchange program. In order to permit development and implementation of a pilot clean needle and syringe exchange program, today's action continues the state of emergency first declared by the City Council on November 27, 2001.

**FILE LOCATION:**                      GEN'L-Local Health Emergency Due to the Spread of the Hepatitis C Virus and the Human Immunodeficiency Virus (HIV)

**COUNCIL ACTION:**                      (Tape location: A512-526.)

MOTION BY WEAR TO ADOPT. Second by Atkins. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-nay, Maienschein-nay, Frye-yea, Madaffer-nay, Inzunza-yea, Mayor Murphy-not present.

ITEM-330: Four actions related to Community Facilities District No. 4 (Black Mountain Ranch Villages) - Modification of the Rate and Method of Apportionment of Special Tax and Increasing the Maximum Bond Authorization.

(Black Mountain Ranch - Subarea I of the North City Future Urbanizing Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the resolutions in subitems A, B and D; introduce the ordinance in subitem C :

Subitem A: (R-2003-139) ADOPTED AS RESOLUTION R-296892

Calling an election on propositions to alter the existing rate and method of apportionment of the special tax and increase the authorized bonded indebtedness of the District.

Subitem B: (R-2003-140) ADOPTED AS RESOLUTION R-296893

Certifying the results of the July 30, 2002 election and changing the existing rate and method of apportionment of the special tax and increasing the authorized bonded indebtedness of the District.

Subitem C: (O-2003-34) INTRODUCED, TO BE ADOPTED TUESDAY,  
SEPTEMBER 3, 2002

An Ordinance repealing Ordinance No. O-18905 and authorizing the levy of a special tax within the District.

Subitem D: (R-2003-159) ADOPTED AS RESOLUTION R-296894

Declaring that the information contained in Environmental Impact Report LDR No. 95-0173, adopted on September 20, 1995 and Environmental Impact Report LDR No. 96-7902, adopted on July 28, 1998, including any comments received during the public review process, has been reviewed and considered by this Council and it is determined that no substantial changes or new information of substantial importance with the meaning of CEQA Guideline section 15162 would warrant any additional environmental review in connection with approval of CFD#4 (Black Mountain Ranch Villages);



Directing the City Clerk to file a Notice of Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

**CITY MANAGER SUPPORTING INFORMATION:**

Pursuant to proceedings conducted under the Mello-Roos Community Facilities Act of 1982 ("Mello-Roos Act"), the City of San Diego previously established Community Facilities District No. 4 (Black Mountain Ranch Villages) ("CFD No. 4"). In conjunction with these proceedings, the City adopted Ordinance No. O-18905, which authorized the levy of a special tax within CFD No. 4. The ordinance provided that the special tax was to be levied in accordance with the Rate and Method of Apportionment of Special Tax ("Rate and Method") approved by the City Council pursuant to Resolution No. R-293975.

Subsequent to these actions, and in accordance to the Mello-Roos Act, an owner of more than 25% of the property within the District filed a written petition with CFD No. 4 requesting that the Rate and Method be modified and the total bond authorization of the District be increased to \$30,000,000. In response to the petition, on June 25, 2002, the City Council conducted "Change Proceedings," which culminated in the adoption of Resolution No. R-296736, declaring the Council's intention to consider altering the existing Rate and Method and increasing the maximum authorized bonded indebtedness of the District.

This action will be a noticed public hearing, at which the City Council will be asked to hear testimony either for or against the proposed changes. At the close of the hearing, Council will be asked to conduct a special election among the qualified district voters. Upon completion of the special election, the results will be tallied and certified. Assuming a favorable vote, the City Council will be asked to ratify the proposed modifications.

In conjunction with the above actions, the new Ordinance repealing Ordinance No. O-18905 would authorize the levy of the special tax within the District in accordance with the amended Rate and Method of Apportionment of Special Tax, as referenced above.

It is recommended that the City Council approve the above referenced actions. City staff, in conjunction with the City's financing team for the project, have determined that the proposed modifications should provide a more equitable tax treatment for the various categories of taxable property, and will help ensure that the requisite infrastructure can be built in a timely manner.

**FISCAL IMPACT:**

None. All costs related to this action have been funded by property owners within Community

Facilities District No. 4.

Frazier/Vattimo/MSI

FILE LOCATION: SUBITEMS A, B & D: STRT-CF-4 (58)  
SUBITEM C: NONE

COUNCIL ACTION: (Tape location: A527-B025.)

Hearing began at 10:40 a.m. and halted at 10:45 a.m.

Clerk Fishkin stated that he received the votes and that the elections were conducted with the Community Facilities District No. 4, Black Mountain Ranch Villages. More than two-thirds of the votes cast in the District for Propositions A and B were cast in favor of those propositions and each of those propositions passed. Clerk Fishkin stated that he executed a certificate certifying the results of the election, which he then submitted to the City Council.

SUBITEM A:

MOTION BY PETERS TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-not present.

SUBITEM B:

MOTION BY MADAFFER TO ADOPT. Second by Atkins. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-not present.

SUBITEM C:

MOTION BY INZUNZA TO INTRODUCE THE ORDINANCE. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-not present.

SUBITEM D:

MOTION BY WEAR TO ADOPT. Second by Inzunza. Passed by the following vote:  
Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea,  
Inzunza-yea, Mayor Murphy-not present.

ITEM-331: Vacation of a Portion of Torrance Street.

(Uptown Community Area. District-2.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2002-1650)            ADOPTED AS RESOLUTION R-296895

Vacating a portion of Torrance Street, reserving out a general utility and access easement, as described in the legal description marked as Exhibit "A" and shown on Drawing No. 19521-B marked as Exhibit "B".

**CITY MANAGER SUPPORTING INFORMATION:**

City Council action is requested to vacate a portion of Torrance Street located in the Uptown Community area within Council District (2). The portion to be vacated is a seven foot strip on the northeasterly side of the street. The street is fully improved with curb, gutter, paving and concrete sidewalk. The area to be vacated is excess right-of-way behind the sidewalk. There are no present or future plans to widen the street. The City will reserve a small general utility and access easement for underground utilities across a portion of the vacated area. On July 6, 1914, part of Torrance Street was vacated under Resolution No. R-17693. On August 1, 2000, the Uptown Planners recommended approval of the street vacation, by a vote of 12-0-1. The street area to be vacated was acquired at no cost to the City. City staff recommends approval of the partial street vacation.

FINDINGS: Staff review has indicated that the right-of-way to be vacated may be summarily vacated and that the four required findings for vacation can be made. These findings are:

- a) That there is no prospective use for the right-of-way, either for the facility for which it was originally acquired or for any other public use of a like nature that can be

anticipated. It is unlikely that a street would be widened.

b) That the public will benefit from the action through improved utilization of land made possible by the street vacation. The land value will revert to private ownership and will relieve the City of any liability.

c) That the vacation is not inconsistent with the General Plan, an approved Community Plan or the Local Coastal Program. The portion of the street being vacated is not part of the community plan transportation element and land would revert to a RS-1-2 zone which is consistent with the community plan land use designation. The Uptown Community Planners recommend approval of the street vacation.

d) That the facility for which the right-of-way as originally acquired will not be detrimentally affected by the street vacation. There are no present or future plans to widen the street in this area and easements will be reserved for existing utilities.

**FISCAL IMPACT:**

None. All costs have been paid by the applicant.

Ewell/Broughton/AEA

**NOTE:** This action is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15061(b)(3).

**FILE LOCATION:** STRT-J-2938 (39)

**COUNCIL ACTION:** (Tape location: B026-031.)

Hearing began at 10:46 a.m. and halted at 10:47 a.m.

MOTION BY WEAR TO ADOPT. Second by Atkins. Passed by the following vote:  
Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea,  
Inzunza-yea, Mayor Murphy-not present.

ITEM-332: Vacation of a Portion of San Fernando Street.

(Uptown Community Area. District-2.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2002-1651)            ADOPTED AS RESOLUTION R-296896

Vacating a portion of San Fernando Street, reserving out a general utility and access easement, as described in the legal description marked as Exhibit "A" and shown on Drawing No. 19605-B marked as Exhibit "B";

Declaring that this resolution shall not become effective unless and until the following conditions have been met: the applicant shall assure, by permit and bond, the installation of permanent public improvements at the "L" shaped intersection of Qualtrough Street and San Fernando Street as follows: Type G-2 curb and gutter on the west side of San Fernando Street, Type G-2 curb and gutter across the southerly terminus of San Fernando Street (running in an east-west direction), the installation of Schedule "J" pavement for unimproved portions of the "L" shaped intersection and a drainage inlet box to convey the intersection drainage discharging via a rip-rap dissipator on private property, all in a manner satisfactory to the City Engineer.

**CITY MANAGER SUPPORTING INFORMATION:**

City Council action is requested to vacate a portion of San Fernando Street located in the Peninsula Community area within Council District (2). The street is unimproved and there are no plans to construct a street at this location because the area is inaccessible and the terrain is very steep. A general utility and access easement will be reserved over the north portion of the area to be vacated. The applicant is currently using part of the street as a driveway to his house and wants to maintain and protect the slopes with landscaping. The Uptown Planners recommended approval of the street vacation unanimously. One property owner objects to the vacation of the street, stating that access is needed for fire emergency. However, the Fire Department recommends vacating the street because the area is inaccessible (the terrain drops about 50 feet down to a ravine).

The street to be vacated was acquired at no cost to the City. City staff recommends approval of the street vacation.

**FINDINGS:** Staff review has indicated that the right-of-way may be vacated and that the four required findings for vacation can be made. These findings are:

- a) That there is no prospective use for the right-of-way, either for the facility for which it was originally acquired or for any other public use of a like nature that can be anticipated. It is unlikely that a street would be built at this location due to the steep terrain and the topography of the land.
- b) That the public will benefit from the action through improved utilization of land made possible by the street vacation. The land will revert to private ownership and will relieve the City of any liability.
- c) That the vacation is not inconsistent with the General Plan, an approved Community Plan or the Local Coastal Program. The portion of the street being vacated is not part of the community plan transportation element and land would revert to a RS-1-4 zone which is consistent with the community plan land use designation. The Uptown Planners recommends approval of the street vacation.
- d) That the facility for which the right-of-way as originally acquired will not be detrimentally affected by the street vacation. This street has limited use and will not be extended. There are no present or future plans to construct a street in this area and easements will be reserved for existing utilities.

**FISCAL IMPACT:**

None. All costs have been paid by the applicant.

Ewell/Broughton/AEA

**NOTE:** This action is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15061(b)(3).

**FILE LOCATION:** STRT-J-2937 (39)

**COUNCIL ACTION:** (Tape location: B032-224.)

Hearing began at 10:48 a.m. and halted at 11:01 a.m.

Testimony in opposition by Edwina Goddard.

MOTION BY WEAR TO ADOPT. Second by Atkins. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-not present.

ITEM-333: Campus at Torrey View.

Matter of approving, conditionally approving, modifying or denying an application for a Rezone, Community Plan Amendment, General Plan Amendment, and Planned Development Permit for a rezone from RM-2-5 (Multi-Family Residential) to IL-2-1 (Industrial) and construction of two, four-story, corporate office space on 7.7 acre site.

(RZ/CPA/GPA/PDP-41-0795. Sorrento Hills Community Plan Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Introduce the ordinance in Subitem A; adopt the resolutions in Subitems B and D; and adopt the resolution in Subitem C to grant the permit.

Subitem-A: (O-2003-32) INTRODUCED WITH DIRECTION, TO BE ADOPTED  
TUESDAY, SEPTEMBER 3, 2002

Introduction of an Ordinance changing 7.7 acres located east of and adjacent to I-5 and north of Carmel Mountain Road, within the Sorrento Hills Community Plan area, in the City of San Diego, California, from the RM-2-5 Multi-family residential (formerly R-1500) zone into the IL-2-1 Industrial zone, as defined by San Diego Municipal Code Section 131.0406.b.2 and 131.0603; and repealing Ordinance No. O-18546 (New Series), adopted July 20, 1998 of the Ordinances of the City of San Diego insofar as the same conflicts herewith.

Subitem-B: (R-2003-126) ADOPTED AS RESOLUTION R-296897

Adoption of a Resolution certifying that the information contained in Mitigated Negative Declaration No. 41-0795, on file in the Office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that the declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of the Campus at Torrey View Project;

That the City Council finds that project revisions now mitigate potentially significant

effects on the environment previously identified in the Initial Study and therefore, that the Mitigated Negative Declaration;

That pursuant to California Public Resources Code section 21081.6, the City Council adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment;

That the City Clerk is directed to file a Notice of Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

Subitem-C: (R-2003- )                      ADOPTED AS RESOLUTION R-296898,  
GRANTING THE PERMIT

Adoption of a Resolution granting or denying Planned Development Permit 41-0795, with appropriate findings to support Council action.

Subitem-D: (R-2003-127)                      ADOPTED AS RESOLUTION R-296899

Adoption of a Resolution amending the Sorrento Hills Community Plan;

That the Council adopts an amendment to the Progress Guide and General Plan for the City of San Diego to incorporate the above amended plan.

**OTHER RECOMMENDATIONS:**

The Planning Commission on June 27, 2002, voted 5 - 0 to approve; no opposition.

Ayes: Anderson, Schultz, Brown, Steele, Lettieri

Recusing: Garcia

Not present: Chase

The Sorrento Hills Community Planning Group has recommended approval of this project.

**SUPPORTING INFORMATION:**

Campus at Torrey View project proposes a Sorrento Hills Community Plan Amendment, Progress Guide and General Plan Amendment to re-designate the site from residential to industrial, Rezone from RM-2-5 (Multi-family Residential) to IL-2-1 (Industrial), and Planned Development Permit for



the construction of two, four-story, corporate office buildings and associated features with a total of 200,100 square feet of corporate office space on a 7.7 acre site.

**TRAFFIC IMPACT:**

The proposed Campus at Torrey View project is estimated to generate approximately 3,002 average daily trips (ADT). 1,200 of these trips are estimated to occur on Interstate 5 south of State Route 56, which has an estimated near-term plus project volume of 266,290 ADT. Caltrans is planning to widen Interstate 5 to provide ten additional lanes south of State Route 56 to be completed by 2004-2007. Sorrento Hills Community is required to contribute \$10.68 million for the planned I-5/Carmel Mountain Road interchange.

**FISCAL IMPACT:**

A deposit has been collected from the applicant to cover all costs associated with processing this proposed project.

Ewell/Christiansen/FMM

**LEGAL DESCRIPTION:**

The project site is located east of, and adjacent to Interstate I-5, on the northern side of Carmel Mountain Road, between Vista Sorrento Parkway and I-5, in the community of Sorrento Hills and is more particularly described as Lots 1 and 2 of Section 31, Township 14 South, Range 3 West, San Bernardino Meridian.

**FILE LOCATION:**

SUBITEM A: NONE

SUBITEMS B&C: LUP-Campus at Torrey View  
7/30/02 (65)

SUBITEM D: LAND-Progress Guide and General Plan-  
Sorrento Hills Community Plan/Campus at Torrey View (09)

**COUNCIL ACTION:**

(Tape location: B225-C389.)

Hearing began at 11:02 a.m. and halted at 11:56 a.m.

Testimony in opposition by Richard Davis, Debby Garfinkle, Jeffrey Garfinkle and Mel Shapiro.

Testimony in favor by Jim Dawe, Kathryn Burton and Jim Casale.

MOTION BY PETERS TO INTRODUCE THE ORDINANCE IN SUBITEM A WITH DIRECTION FROM COUNCIL MEMBER ATKINS THAT THE CITY MANAGER DETERMINE HOW THE CITY IS GOING TO REPLACE 108 HOUSING UNITS AND WHERE THOSE 108 UNITS WILL BE PLACED IN THE STRATEGIC FRAMEWORK. REQUEST THAT THESE UNITS BE CONSIDERED IN THE AREA WHERE THEY WERE PLANNED TO BE PLACED. ADOPT THE RESOLUTIONS IN SUBITEMS B AND D; AND ADOPT THE RESOLUTION IN SUBITEM C TO GRANT THE PERMIT. Second by Atkins. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-nay, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-not present.

ITEM-334: Second Public Hearing - Annual Appropriation Ordinance for the Fiscal Year 2002-2003.

**CITY MANAGER'S RECOMMENDATION:**

Hold the second public hearing and introduce and adopt the following ordinance:

(O-2003-23) INTRODUCED AND ADOPTED AS AMENDED AS  
ORDINANCE O-19083 (New Series)

Introduction and adoption of an Ordinance adopting the Annual Budget for the Fiscal Year 2002-2003 and appropriating the necessary money to operate the City of San Diego for said Fiscal Year.

**NOTE:** Today's action is the second public hearing and introduction and adoption of the Ordinance. See Item 200 on the docket of Monday, July 29, 2002 for the first public hearing.

**FILE LOCATION:** MEET

**COUNCIL ACTION:** (Tape location: C390-434.)

MOTION BY WEAR TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT THE ORDINANCE WITH THE FOLLOWING AMENDMENT: ACCEPT THE CITY MANAGER'S RECOMMENDATION, AS STATED IN HIS MEMORANDUM OF JULY 30, 2002 TO MAYOR MURPHY AND THE CITY COUNCIL, THAT THE FISCAL YEAR 2003 CAPITAL IMPROVEMENTS PROGRAM WILL INCREASE BY \$200,000 TO THE NEW TOTAL OF \$411,600,421. THIS IS AS A RESULT OF

INCORPORATING THE ADDITIONAL REQUESTS FROM MAYOR MURPHY AND COUNCIL DISTRICTS 4 AND 8 INTO THE FISCAL YEAR 2003 APPROPRIATION ORDINANCE, AS REFLECTED ON PAGE 44 OF THE ORDINANCE. THE CHANGES, USING STRIKEOUT/UNDERLINE METHODOLOGY TO TRACK THE CHANGES, ARE REFLECTED IN ATTACHMENT B OF THE CITY MANAGER'S MEMORANDUM OF JULY 30, 2002. A REVISED PAGE OF THE APPROPRIATION ORDINANCE IS ALSO INCLUDED AS ATTACHMENT C TO THE MEMORANDUM. Second by Madaffer. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-not present.

**ADJOURNMENT:**

The meeting was recessed by Deputy Mayor Stevens at 12:00 p.m. to reconvene at 6:00 p.m. at the Don Powell Theatre on the San Diego State University campus.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: C435).